

Elliot S. Schlissel, Esq.
Schlissel DeCorpo, LLP
479 Merrick Road
Lynbrook, NY 11563
Tel.: 516-561-6645

Chapter 13

Case No.:1-19-40391-cec

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

**NOTICE OF MOTION
FOR AN ORDER
EXTENDING
THE AUTOMATIC
STAY**

-----X
In Re:

ALFRED VITTORIO, JR.

Debtor(s)

-----X

SIRS:

PLEASE TAKE NOTICE, that upon the annexed application of Elliot S. Schlissel, Esq., attorney for the Debtor, ALFRED VITTORIO, JR., a motion will be made to a Term of this Court for an Order Extending an Automatic Stay, together with other, further and different relief as this Court deems just, proper and equitable.

Date and Time: February 22, 2019 at 10:00 am.

Bankruptcy Judge: Hon. Carla E. Craig

Courthouse: 271-C Cadman Plaza East
Brooklyn, NY 11201

Dated: Lynbrook, New York
February 20, 2019

SCHLISSEL DeCORPO LLP



BY: Elliot S. Schlissel, Esq.
Attorney for Debtors
479 Merrick Road

TO: United States Trustee
Michael Macco,
Standing Chapter 13 Trustee
NationStar Mortgage

Elliot S. Schlissel, Esq.
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UNITED STATES BANKRUPTCY COURT
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**MOTION FOR AN ORDER
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In Re:

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TO: THE HONORABLE CARLA E. CRAIG
UNITED STATES BANKRUPTCY JUDGE

ELLIOT S. SCHLISSEL, ESQ., an attorney duly licensed to practice law before the Courts of the State of New York, affirms upon information and belief, under penalty of perjury, the following:

1. I am the managing partner at Schlissel DeCorpo LLP the attorneys of record for the Debtor, ALFRED VITTORIO, JR., in the above-entitled action.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§1334 and 157.

3. I submit this motion for an order of this court extending an automatic stay, effective as to all creditors pursuant to 11 U.S.C. §362(c)(3) and, in support, state as follows:

4. The Debtor filed a Bankruptcy Petition pro se pursuant to a Chapter 13 of the US Bankruptcy Code on January 23, 2019.

5. On September 12, 2018, the Debtor filed a bankruptcy under case No.: 1-18-45202-cec as a pro se Debtor, in the United States Bankruptcy Court for the

Eastern District of New York, Brooklyn Division, under Chapter 13. This prior case was subsequently dismissed on October 29, 2018, for the debtor's failure to file the required documents. The petition was not dismissed for the following reasons:

- a) failure to file or amend other required documents without substantial excuse; or
- b) failure to provide adequate protection as ordered by the Court; or
- c) failure to perform the terms of a plan confirmed by the Court.

6. Apart from the aforementioned previously filed bankruptcy, the Debtor has not had any prior bankruptcy cases pending or dismissed within the last year.

7. There has been a substantial change in the Debtor's circumstances since the dismissal of the prior case.

8. The Debtor filed his prior bankruptcy as an emergency petition and as a pro-se litigant. He did not file a complete petition because he did not have a working knowledge of the bankruptcy laws and misunderstood the applicable law regarding all documents required for the filing of the bankruptcy petition.

9. The Debtor recently retained my law firm to represent him with regard to the pending bankruptcy petition. Retention of my firm represents a substantial change in circumstance from the Debtor's prior pro se filing. Accordingly, it is respectfully requested that the automatic stay be extended.

10. My office appeared at a 341 Meeting on the debtor's behalf today, February 20, 2019, at 10:00 am. The 341 Meeting was adjourned to March 20, 2019 at 10:00 am.

11. My office is in the process of preparing the balance of the documents

required, and intend to file the outstanding documentation required to complete the bankruptcy petition, as soon as possible.

WHEREFORE, the Debtor respectfully requests that this Court (i) grants the motion to extend the automatic stay; and (ii) grants such other and further relief as this Court deems just and proper.

Dated: Lynbrook, New York
February 20, 2019

SCHLISSEL DeCORPO LLP



BY: Elliot S. Schlissel, Esq.
Attorney for Debtor
479 Merrick Road
Lynbrook, NY 11563
(516) 561-6645

EASTERN DISTRICT OF NEW YORK

-----X

In Re:

ALFRED VITTORIO, JR.,

Debtor(s)

-----X

**ORDER GRANTING
THE MOTION TO EXTEND AUTOMATIC STAY**

This case is before the Court on the motion of the debtor to extend the automatic stay after conducting a hearing on the motion, the court finds that this case was commenced in good faith. Accordingly, it is hereby

ORDERED that the automatic stay shall continue in this case until further notice of the court or until it expires by operation of law, effective as to all creditors

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

ALFRED VITTORIO, JR.

Chapter 13

Case No.: 1-19-40391-cec

Debtor(s)

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

AFFIDAVIT OF SERVICE

ANGELA A. YADGAROFF being duly sworn, say: I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On February 20, 2019, I served the within:

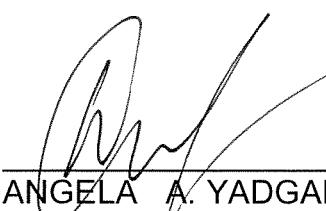
**NOTICE OF MOTION
MOTION TO EXTEND THE AUTOMATIC STAY**

by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

Nationstar Mortgage LLC
PO BOX 619096
Dallas TX 75261

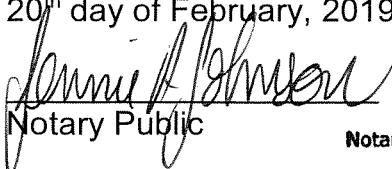
Gross Polowy LLC
775 Wehrle Drive, Suite 100
Williamsville, NY 11235-4335

Michael J. Macco,
Standing Chapter 13 Trustee
2950 Express Drive South
Suite 109
Islandia, NY 11749-1412



ANGELA A. YADGAROFF

Sworn to before me this
20th day of February, 2019


Notary Public

Jennie A. Johnson
Notary Public - State of New York
No. 01J06347713
Qualified in Nassau County
Commission Expires September 12, 2020

Case No.: 1-19-40391-cec
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

ALFRED VITTORIO,

Debtor(s).

NOTICE OF MOTION
MOTION TO EXTEND THE AUTOMATIC STAY

SCHLISSEL DeCORPO LLP
Attorney for Debtor
Office and Post Office Address
479 Merrick Road
Lynbrook, NY 11563
Tel.: 516-561-6645

To:

Attorney(s) for

Service of a copy of the within _____ is hereby admitted.
Dated:

Attorney for _____

Sir: - Please Take Notice

NOTICE OF ENTRY that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on ___,.

NOTICE OF SETTLEMENT that an Order of which the within is a true copy will be presented for
settlement to the HON., one of the judges of the within named Court at ___ on the day of, 20__ at
M.

Dated:

Yours, etc.
ELLIOT S. SCHLISSEL
Attorney for Debtors/Petitioner
SCHLISSEL DeCORPO LLP
Office and Post Office Address
479 Merrick Road
Lynbrook, NY 11563
Tel.: 516-561-6645

TO:

Attorney(s) for